



2-1

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION

Promoting the wise use of land
Helping build great communities

MEETING DATE May 25, 2006	CONTACT/PHONE Mike Wulkan, project manager 781-5608	APPLICANT R.W. Hertel & Sons (Avila Village LLC)	FILE NO. DRC2004-00215
SUBJECT Request by R.W. Hertel & Sons (Avila Village LLC) for a Conditional Use Permit to allow development of a swimming pool, spa and restrooms, all accessory to and for the exclusive use by guests of the existing, adjacent Avila Village Inn. The project will result in the disturbance of the entire approximately 7,900 square-foot parcel that has been graded and developed with parking spaces and temporary landscaping and improvements. The proposed project is within the Recreation land use category and is located at 6645 Bay Laurel Place, adjacent to and east of the existing Avila Village Inn in the San Luis Bay Estates commercial center in the community of Avila Beach. The site is in the San Luis Bay Planning Area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq 2. Approve Conditional Use Permit DRC2004-00215 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 13 2006 for this project (ED05-268). Mitigation measures are proposed to address cultural resources and noise, and are included as conditions of approval.			
LAND USE CATEGORY Recreation	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 076,543,006	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: Section 22.106.050B1a: San Luis Bay Estates areawide standards: Master Use Permit included by reference Section 22.106.050B4a,b,c: San Luis Bay Estates Recreation: limitation on use; floodplains, trails <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 22.10.140 – Setbacks <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
EXISTING USES: Parking spaces, walkways, gazebo, landscaping			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Recreation/parking area <i>South:</i> Recreation, CR/vacant, bike trail, creek <i>East:</i> Commercial Retail (CR)/fitness center, office uses <i>West:</i> Recreation/Avila Village Inn			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

2-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Avila Valley Advisory Council, San Luis Bay Estates Homeowners Association, Public Works, Environmental Health, General Services/Parks, CDF/County Fire, San Miguelito Water Company, and the Regional Water Quality Control Board	
TOPOGRAPHY: Nearly level	VEGETATION: Grass and ornamental landscaping
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF/County Fire	ACCEPTANCE DATE: June 9, 2005
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242	

BACKGROUND:

This site is Lot 8 of Tract 1563, which together with its associated Development Plan (D870106D), authorized subdivision and development of the existing San Luis Bay Estates commercial center. The approved Development Plan shows a 4,200 square-foot, two-story commercial structure on this lot, but that structure was never built, and its approval was therefore never vested. A subsequent Minor Use Permit (D970193P) authorized development of the adjacent 30-unit Avila Village Inn. The site plan for that project showed (but did not approve) a future restaurant and conference facility on this lot.

This site has been filled as anticipated by the project description for the approved commercial center. The fill has been placed in accordance with engineered grading plans, soils engineering reports and county-issued grading permits. The site is nearly level.

PROJECT DESCRIPTION:

The proposed project is intended for the private, exclusive use of guests of the adjacent Avila Village Inn. As such, it is considered an accessory use to the Inn. The proposed improvements consist of an approximately 1,000 square-foot pool, a 115-square foot spa, two restrooms, a towel room, a pool equipment storage building, three fabric-covered sunscreens, fencing and landscaping. All proposed buildings will be less than 14 feet high.

PROJECT ANALYSIS:

Ordinance Compliance:

The proposed buildings comply with the minimum 10-foot front setback in the Recreation land use category per Land Use Ordinance Section 22.10.140D5. The proposed fabric-covered sunscreens along the rear property line are temporary, moveable, and unattached to the ground. As such, they are not considered structures, and do not need to comply with the required side and rear setbacks.

Planning Area Standards: The following sections discuss the planning area standards that apply to this project Land Use Ordinance Section 22.106.050B1a: San Luis Bay Estates areawide standards: master use permit included by reference: All development within the Master Use Permit area for San Luis Bay Estates needs to comply with the adopted Master Use Permit. This Conditional Use Permit application complies with the applicable requirements for the commercial center, because Development Plan (Conditional Use Permit) approval is required for new development, and the proposed swimming pool is included in the allowable uses specified by the Land Use Element (see standard described in the following paragraph).

Land Use Ordinance Section 22.106.050B4a: San Luis Bay Estates Recreation: limitation on use: The proposed swimming pool is proposed as a use that is accessory to the Avila Village Inn, which is one of the specified allowable uses (hotels and motels). The pool will be for the private, exclusive use of the guests of the Avila Inn, and is so restricted in the conditions of approval.

Land Use Ordinance Section 22.106.050B4b: San Luis Bay Estates Recreation: floodplains: The proposed project is consistent with this standard for floodplains containing natural habitats to be preserved in their natural state, because the site has been filled to raise it above the floodplain, and does not contain natural habitat.

Land Use Ordinance Section 22.106.050B4c: San Luis Bay Estates Recreation: trails: The proposed project is consistent with this standard that requires construction of trails adjacent to San Luis Obispo Creek in connection with new commercial development, because the required bike path connecting Avila Valley with Avila Beach that is located adjacent to the creek was completed in connection with the tract and Development Plan for the overall commercial center. No new development is proposed directly adjacent to the bike path, and drainage from the proposed pool area will flow into the community wastewater system and should not affect the bike path.

STAFF COMMENTS:

The proposed swimming pool and spa are to be for the exclusive, private use by guests of the adjacent Avila Village Inn, and will not be open for use by the general public. Such accessory uses are included in the Land Use Ordinance definition of "Lodging--Hotels, Motels," and are called accessory guest facilities. As such, the proposed pool and spa will not generate traffic in addition to that normally associated with the Avila Village Inn. Therefore, no additional parking needs to be provided, and no road impact fees are needed.

COMMUNITY ADVISORY GROUP COMMENTS:

As stated in the attached referral response dated July 11, 2005, the Avila Valley Advisory Council had the following comments: a) there should be no public use of the site; it should be for the use of overnight guests of the Avila Inn; b) limiting the site to use by Inn guests only should help reduce parking impacts; c) there should be no loud music on site because it would affect nearby residential areas; d) drainage should avoid San Luis Obispo Creek. *Consistent with the Advisory Council's recommendation, the project description specifies that the site is to be for the exclusive use by guests of the adjacent Avila Village Inn. Such use will not create a need for additional parking. Noise impacts are not expected, because a condition of approval requires that no outside amplified sound shall occur, unless a qualified professional demonstrates compliance with the Noise Element. In addition, the nearest residence is approximately 370 feet away, and noise levels would be subject to the stringent noise standards in the Land Use Ordinance. Regarding drainage, the latest plans show, and the conditions of approval require, that swimming pool water be discharged into the community wastewater system. In addition, the latest plans show that surface water from around the pool area will drain into an existing sewer line that flows to the community wastewater system treatment pond.*

AGENCY REVIEW:

Public Works--recommend approval; filter or other device may be needed to treat water before discharge to San Luis Obispo Creek; no road impact fees needed
 Environmental Health--construction plans for the pool, spa, restrooms, and related facilities to be reviewed and approved by Environmental Health prior to issuance of a construction permit
 General Services/Parks--impacts to the Bob Jones bike path should be assessed in the event that proposed development is directly adjacent to or drains over or under the pathway
 CDF/County Fire--no requirements
 Regional Water Quality Control Board--pool water should be preferably discharged to the community wastewater system, not San Luis Obispo Creek; please check whether the community wastewater system has adequate capacity to accept such discharge
 San Miguelito Water Company--the Water Company should review and approve construction plans, which should show the Water Company's existing facilities, and proposed connections

2-4

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Mike Wulkan and reviewed by Matt Janssen

2-5

EXHIBIT A - FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 13, 2006 for this project (ED05-268). Mitigation measures are proposed to address cultural resources and noise, and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the proposed swimming pool, spa and associated improvements are accessory uses to the existing, adjacent Avila Inn, which is an allowable use per the applicable planning area standard for the Recreation land use category in San Luis Bay Estates. In addition, as conditioned, the project is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code, including planning area standards for San Luis Bay Estates regarding floodplains (Section 22.106.050B4b) and trails (Section 22.106.050B4c).
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed swimming pool, spa and associated improvements are for the private, exclusive use by guests of the adjacent Avila Village Inn and do not generate activity that presents a potential threat to the surrounding property and buildings. In addition, the proposed project will not cause drainage impacts or impacts on San Luis Obispo Creek. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed accessory swimming pool, spa and associated improvements are for the private, exclusive use by guests of the adjacent Avila Village Inn, are not for use by the general public, are compatible with adjacent lodging, office and commercial uses, and will not conflict with residential uses, the closest of which is located approximately 370 feet away.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed swimming pool, spa and associated improvements are uses that are accessory to the existing Avila Village Inn, and as such, will not generate traffic in addition to that normally associated with the Avila Village Inn. Therefore, no additional traffic trips are expected with this proposed project, and no road impact fees are required. Therefore, the access roads will be able to handle any additional traffic associated with the project.

2-6

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This Conditional Use Permit approval authorizes an approximately 1,000 square-foot pool, a 115-square foot spa, two restrooms, a towel room, a pool equipment storage building, three fabric-covered sunscreens, fencing, and landscaping, all for the private, exclusive use by guests of the adjacent Avila Village Inn.
2. All development shall be consistent with the approved site plan and landscaping plan and elevations.

Conditions required to be completed prior to the time of application for construction permits

Services

3. **Prior to application for construction permits**, the applicant shall provide construction plans to the San Miguelito Mutual Water Company showing the company's existing facilities and proposed connections to those facilities.

Conditions required to be completed at the time of application for construction permits

Site Development

4. **At the time of application for construction permits**, submit a revised site plan that shows the existing location of the retaining walls and the stairway/access to the Bob Jones bike path, both at the rear of the site.
5. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored. Lamps shall be low-pressure sodium.
6. **At the time of application for construction permits**, the applicant shall submit for review and approval by the County Engineer, if he so requires, a drainage plan in accordance with the requirements of Coastal Zone Land Use Ordinance Sections 23.05.044. The drainage plan shall show that swimming pool water, as well as surface water from around the pool area, is to be discharged into the community sewer system.

Services

7. **At the time of application for construction permits**, the applicant shall provide a final will-serve letter from the San Miguelito Mutual Water Company for water and sewer service, including acceptance of swimming pool water discharge and surface water runoff into the community wastewater system.

Conditions to be completed prior to issuance of a construction permit

Cultural Resources Mitigation Measure

8. **Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
 - A. list of personnel involved in the monitoring activities;
 - B. description of how the monitoring shall occur;

2-7

- C. description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. description of what resources are expected to be encountered;
- E. description of circumstances that would result in the halting of work at the project site (e.g., what is considered "significant" archaeological resources?);
- F. description of procedures for halting work on the site and notification procedures;
- G. description of monitoring reporting procedures.

Site Development

9. **Prior to issuance of a construction permit**, the applicant shall submit final landscape plans to the Planning and Building Department for review and approval. Plans shall include location, species and container size of all proposed plant materials, and method of irrigation. All proposed plant materials shall be of a drought tolerant or low water-using variety. The landscape plan shall include:
- A. native plant species
 - B. the location, height and elevations of fencing consistent with the approved elevations

Agreement

10. **Prior to issuance of a construction permit**, the applicant shall execute and record a covenant and agreement restricting use of property in a form approved by County Counsel, agreeing to use of this site (Lot 8, Tract 1563), together with the three lots comprising the adjacent Avila Village Inn (Lots 9, 10 and 11, Tract 1563), as a "single site" and restricting the conveyance thereof under Title 22 of the County Code.

Environmental Health

11. **Prior to issuance of a construction permit**, the applicant shall submit construction plans for the swimming pool, spa, restrooms, and related facilities to Environmental Health Services Division for review and approval, and a construction permit shall not be issued unless Environmental Health Services Division approval is obtained.

Fees

12. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed during project construction

Cultural Resources Mitigation Measure

13. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator

2-8

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Cultural Resources Mitigation Measure

14. **Prior to occupancy or final inspection, whichever occurs first**, and upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

Noise Mitigation Measure

15. **Prior to occupancy or final inspection, whichever occurs first**, if outside amplified sound is proposed, a report by an engineer qualified in noise analysis shall be submitted to the county that clearly demonstrates that the noise levels will not exceed the Noise Element thresholds for stationary noise sources at the property boundary of the closest residential use.

Landscaping

16. **Prior to final building inspection**, landscaping in accordance with the approved landscaping plan shall be installed or bonded for to ensure the implementation of landscaping. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
17. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

Miscellaneous and Ongoing Conditions

18. This development shall be for the private, exclusive use by guests of the adjacent Avila Village Inn. Use of the pool, spa and other facilities shall occur only between 9:00 a.m. and 10:00 p.m. daily.
19. No outside amplified sound shall occur, unless it is clearly demonstrated in a report to the county by an engineer qualified in noise analysis, that the noise levels will not exceed the Noise Element thresholds for stationary noise sources at the property boundary of the closest residential use. This report shall be submitted to the county for review and approval prior to final inspection.
20. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations, and construction is occurring above grade.
21. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



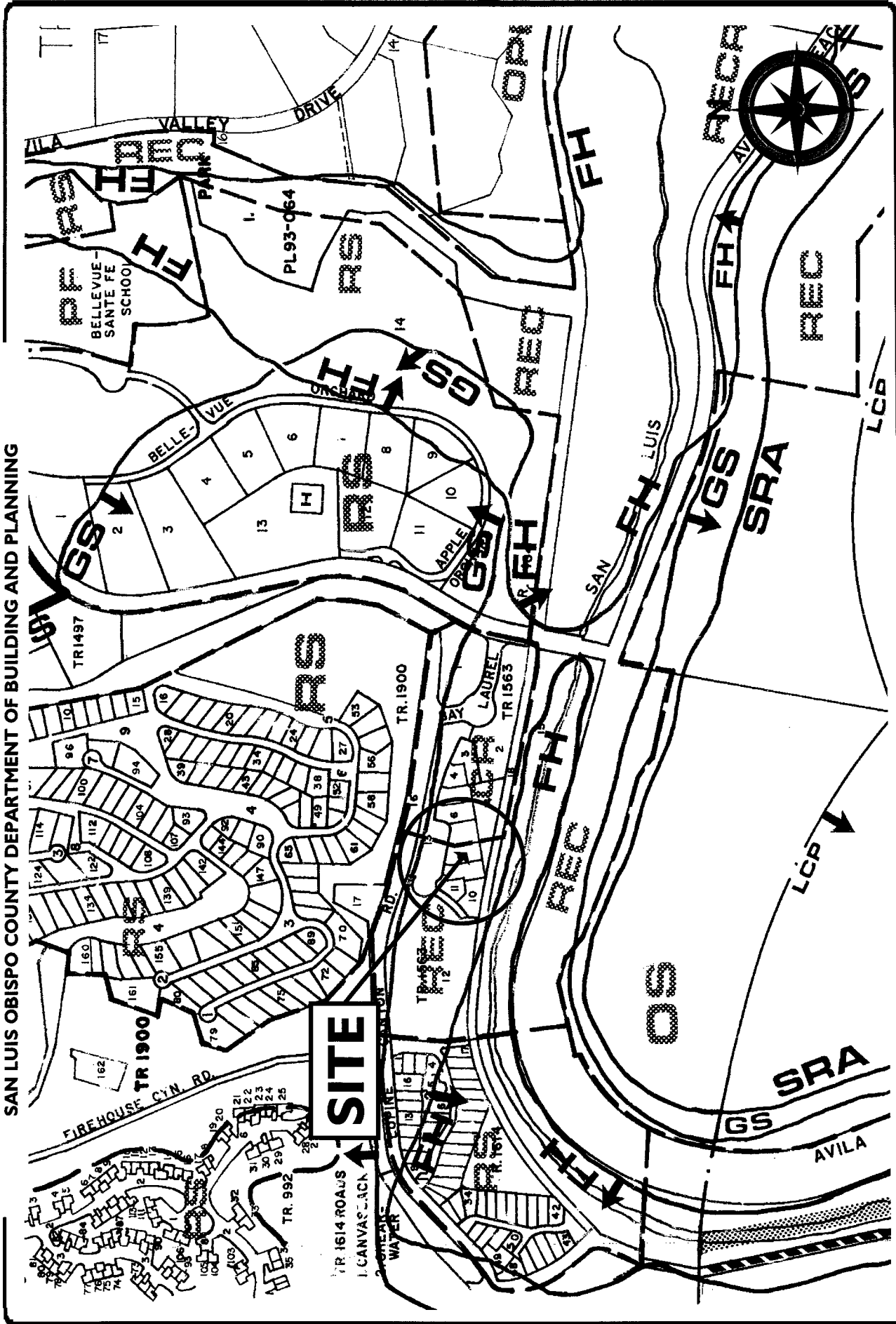
Avila Village DRC2004-00215

Avila Beach Vicinity



2-10

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



EXHIBIT

Land Use Category



PROJECT

Conditional Use Permit
Avila Village DRC2004-00215

2-11



PROJECT

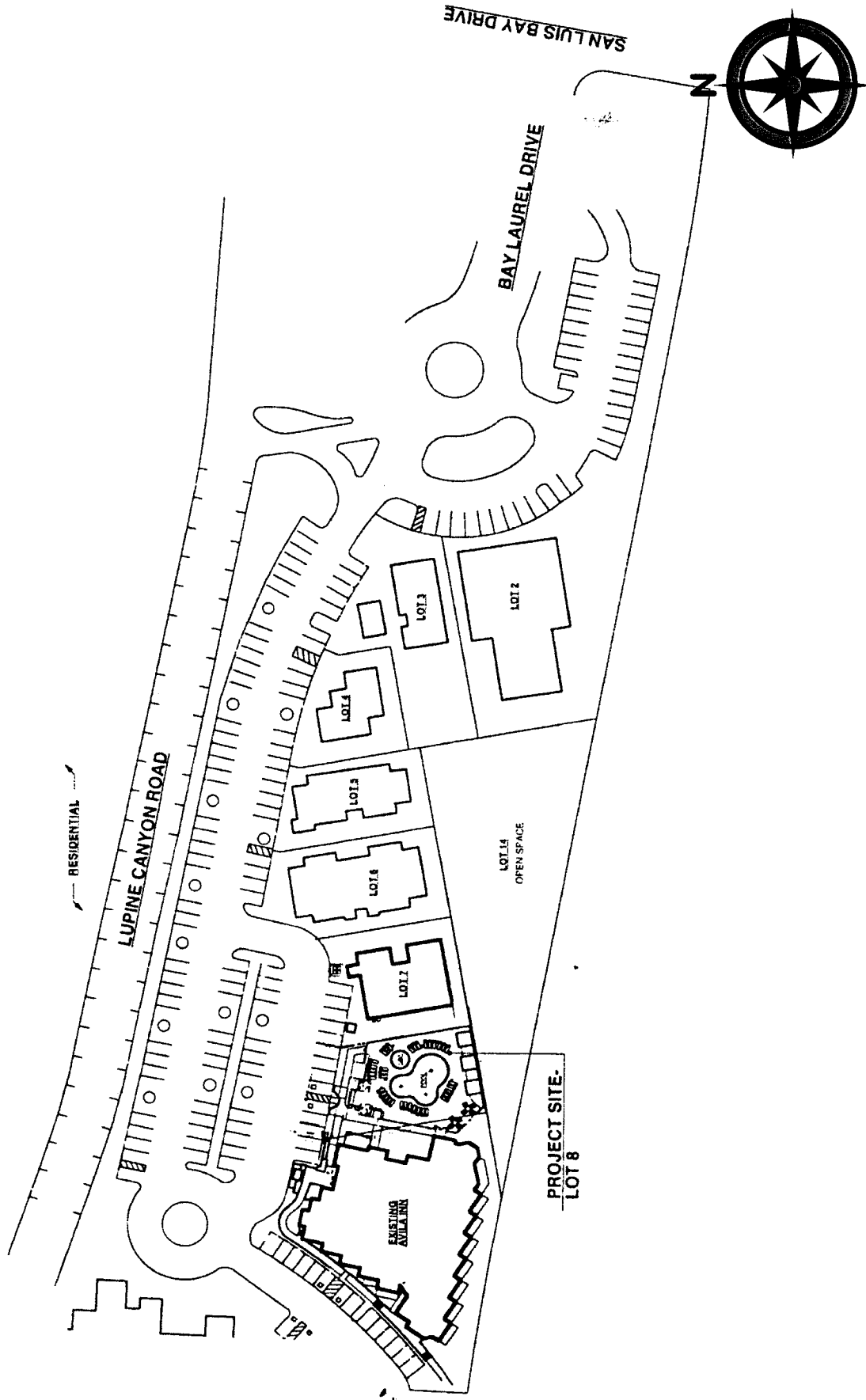
Conditional Use Permit
Avila Village DRC2004-00215

EXHIBIT

Aerial Photo



2-12



EXHIBIT

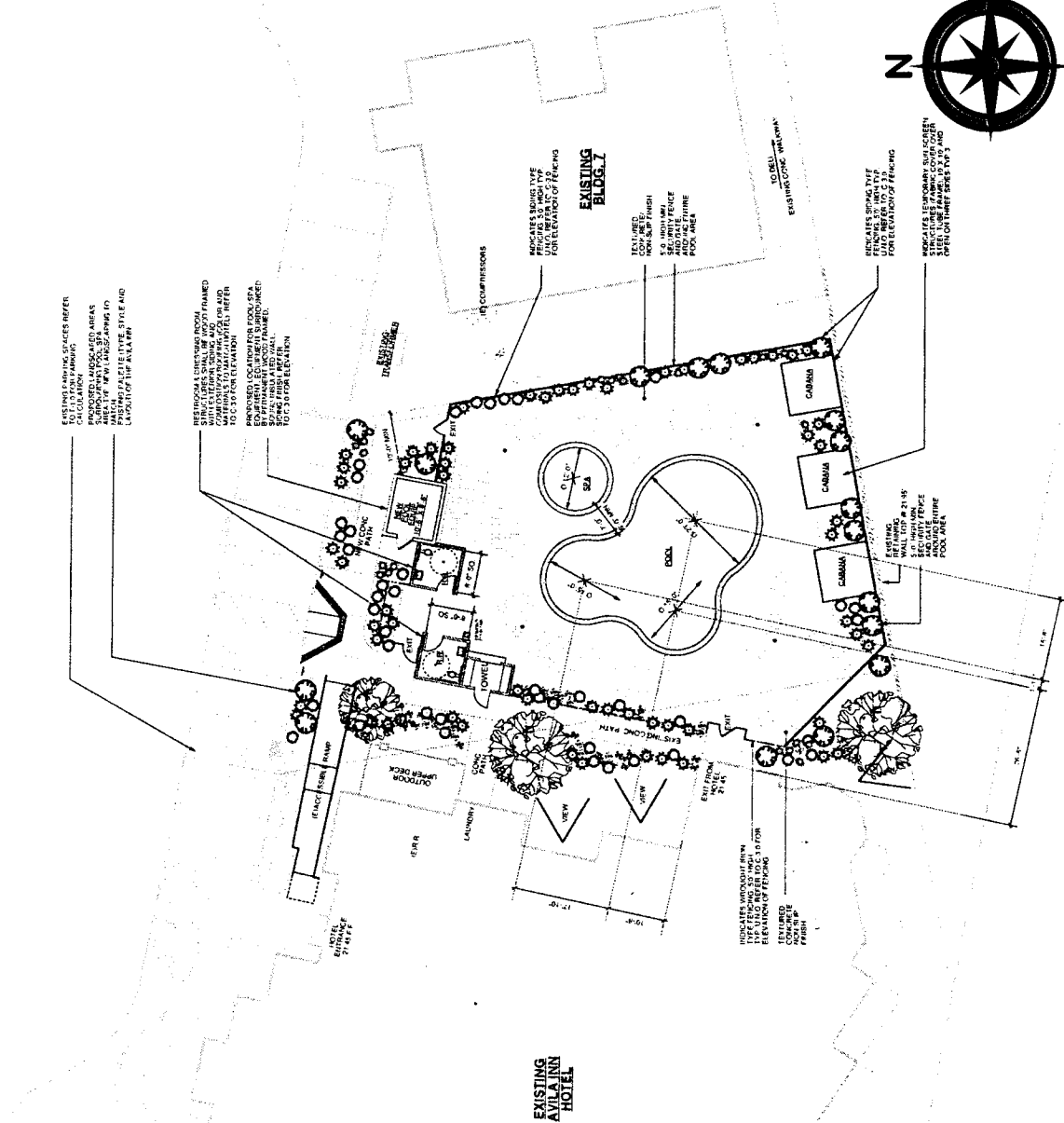
Overall Site Plan



PROJECT

Conditional Use Permit
Avila Village DRC2004-00215

2-13



PROJECT

Conditional Use Permit
Avila Village DRC2004-00215

EXHIBIT

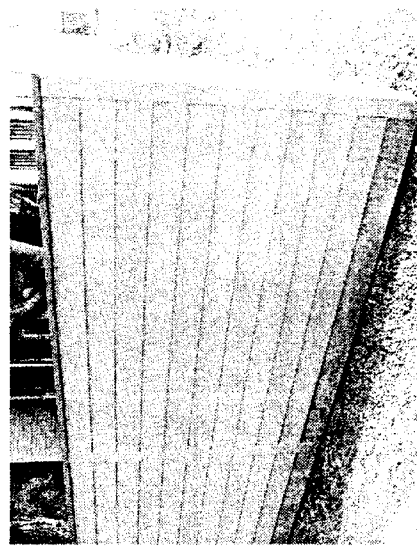
Site Plan Detail





2-15

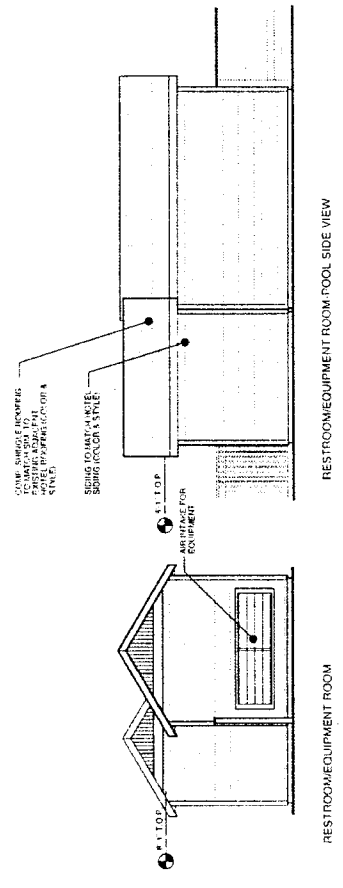
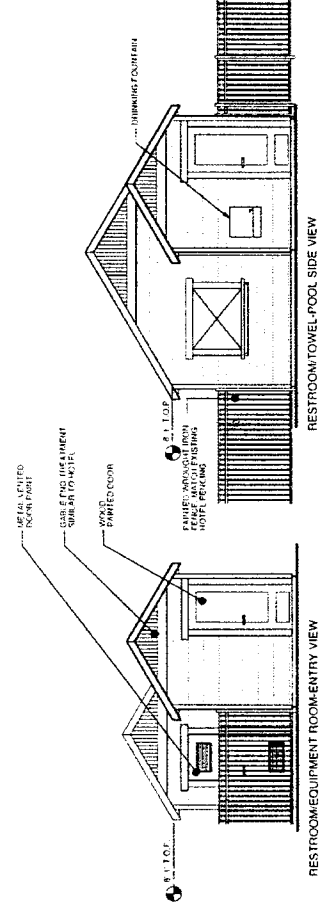
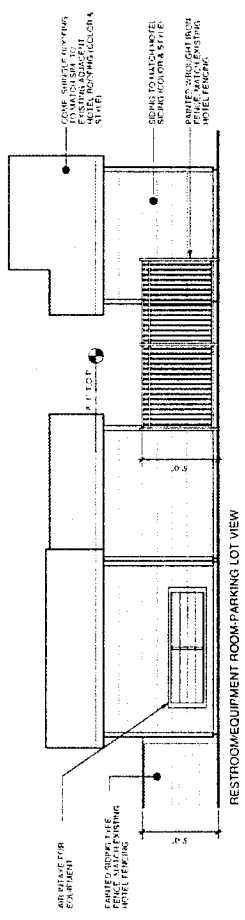
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SIDING TYPE FENCING N.T.S.



WROUGHT IRON TYPE FENCING N.T.S.



RESTROOMS/POOL EQUIPMENT



EXHIBIT Elevations

PROJECT Conditional Use Permit
Avila Village DRC2004-00215

2-16



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (MW)

ENVIRONMENTAL DETERMINATION NO. ED05-268

DATE: April 13, 2006

PROJECT/ENTITLEMENT: Avila Village Conditional Use Permit DRC2004-00215

APPLICANT NAME: R.W. Hertel & sons

ADDRESS: P.O. Box 4013, SLO, CA 93403

CONTACT PERSON: Craig R. Smith

Telephone: (805) 544-3380 x 202

PROPOSED USES/INTENT: Request by R.W Hertel & Sons (Avila Village LLC) to expand the existing Avila Village Inn and allow for the establishment the following accessory structures: swimming pool, spa and restrooms, which will result in the disturbance of the entire approximately 7,900 square-foot parcel. This expansion would replace existing parking spaces and temporary landscaping. .

LOCATION: The proposed project is within the Recreation land use category and is located at 6645 Bay Laurel Place, east of San Luis Bay Drive, in the community of Avila Beach. The site is in the San Luis Bay Planning Area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on April 27, 2006

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No.

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

2-17



COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST
 (ver 2.1)

Project Title & No. Avila Village Pool Conditional Use Permit DRC2004-00215,
ED 05-268

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Water |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mike Wulkan
 Prepared by (Print)

Mike Wulkan
 Signature

March 28, 2006
 Date

Jeff Oliveira
 Reviewed by (Print)

Jeff Oliveira
 Signature

Ellen Carroll,
 Environmental Coordinator
 (for)

3/30/06
 Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by R.W Hertel & Sons (Avila Village LLC) to expand the existing Avila Village Inn and allow for the establishment the following accessory structures: swimming pool, spa and restrooms, which will result in the disturbance of the entire approximately 7,900 square-foot parcel. This expansion would replace existing parking spaces and temporary landscaping. The proposed project is within the Recreation land use category and is located at 6645 Bay Laurel Place, east of San Luis Bay Drive, in the community of Avila Beach. The site is in the San Luis Bay Planning Area.

ASSESSOR PARCEL NUMBER(S): 076-543-006

SUPERVISORIAL DISTRICT # 3

B. EXISTING SETTING

PLANNING AREA: San Luis Bay (Inland), Avila Beach

LAND USE CATEGORY: Recreation

COMBINING DESIGNATION(S): None

EXISTING USES: Temporary landscaping and improvements, stairs, retaining walls, parking

TOPOGRAPHY: Nearly level

VEGETATION: Ornamental landscaping

PARCEL SIZE: 7896 square feet

SURROUNDING LAND USE CATEGORIES AND USES:

North: Recreation; parking lot

East: Commercial Retail; commercial/office building

2-19

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Recreation; parking lot	<i>East:</i> Commercial Retail; commercial/office building
<i>South:</i> Recreation; Bob Jones bikepath, San Luis Obispo Creek	<i>West:</i> Recreation; Avila Village Inn

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will not be visible from any major public roadway or silhouette against any ridgelines as viewed from public roadways. Commercial, office and recreational uses and a parking area surround the project. The nearest residence is about 380 feet away. The project is considered compatible with the surrounding commercial, office and recreational uses.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2-20

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types are as follows:

Salinas silty clay loam, (0 - 2 % slope). This nearly level soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation, wetness/high groundwater, flooding. The soil is considered Class III without irrigation and Class I when irrigated.

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or in the immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2-21

Setting. The Air Pollution Control District (APCD) has developed the 2003 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will serve only guests of the existing Avila Village Inn. As such, the proposed use will be an accessory use to the Inn and should not generate any additional traffic. Therefore, the project will not result in potential traffic-generated emissions impacts. In addition, the project, as proposed, will result in the disturbance of approximately 8,000 square feet and excavation of less than about 300 cubic yards of earth. This will result in the creation of construction dust, as well as short-term vehicle emissions. Based on Tables 6-2 and 6-3 of the CEQA Air Quality Handbook, the project will result in emissions that are well below the thresholds warranting any mitigation for pollutants resulting from construction activities. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: ornamental landscaping.

Based on the latest California Diversity database, and other biological references, the following is a list of sensitive vegetation, wildlife and/or habitat that have been identified as potentially being within the vicinity of the proposed project:

Wildlife:

Tidewater goby (*Eucyclogobius newberryi*) FE, CSC on site.

Tidewater goby (*Eucyclogobius newberryi*) is found in brackish water habitats along the California coast. Microhabitats include shallow lagoons and lower stream reaches. The goby needs fairly still but not stagnant water with high oxygen levels. Tidewater goby is considered federally endangered and a California species of Special Concern.

2-22

California red-legged frog (*Rana aurora draytonii*) FT app 0.05 miles west of site.

California red-legged frog (*Rana aurora draytonii*) typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development. California red-legged frog is considered federally threatened.

OR...

California red-legged frogs (*Rana aurora draytonii*) historically ranged from Marin County southward to northern Baja California. Presently, Monterey, San Luis Obispo, and Santa Barbara counties support the largest remaining California red-legged frog populations within the state. The California red-legged frog is a large (85-138 millimeters) reddish-brown frog with variable red pigment on the ventral surfaces. California red-legged frogs are listed as federally threatened, and are considered a California Special Concern species by the CDFG (CDFG, 2002). Riparian habitat degradation, urbanization, predation by bullfrogs, and historic market harvesting have all reportedly contributed to population declines in this species.

The species occurs in varied habitats during its life cycle. Breeding areas include lagoons, streams and ponds, including siltation and irrigation ponds. California red-legged frogs typically breed from January to July, with peak breeding occurring in February. Juvenile frogs are found in open, shallow aquatic habitats containing dense emergent vegetation.

Adult California red-legged frogs prefer aquatic habitats with little or no flow, the presence of surface water to at least early June, surface water depths to at least 0.7 meter (2.3 feet), and the presence of fairly sturdy underwater supports such as cattails. The largest densities of California red-legged frogs are typically associated with dense stands of overhanging willows and an intermixed fringe of sturdy emergent vegetation. Although the species can inhabit ephemeral streams or ponds, populations probably cannot be maintained in ephemeral streams in which all surface water disappears. Adult California red-legged frogs are primarily nocturnal, although metamorphs and juveniles are known to be active during the day and night.

Plants:

Wells's manzanita (*Arctostaphylos wellsii*) List 1B app. 0.07 miles east of site.

Wells's manzanita (*Arctostaphylos wellsii*) is an evergreen shrub that is found on sandstone soils in closed cone coniferous forests and chaparral. The typical flowering period is December through April. The species grows from 30 m to 400 m (98 ft to 1,312 ft). Wells's manzanita is considered rare by CNPS (List 1B, RED 2-3-3).

Obispo indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) List 1B app 0.07 miles east of site.

Obispo Indian paintbrush (*Castilleja densiflora* ssp. *obispoensis*) is a CNPS List 1B annual herb. This species occurs in valley and foothill grasslands and occasional intergrades with other subspecies. The elevation range for this species is 10 to 400 meters, and the blooming period is April through May.

Black-flowered figwort (*Scrophularia atrata*) List 1B, FSC app. 0.95 miles southeast of site.

Black-flowered figwort (*Scrophularia atrata*) is generally found growing on calcareous or diatomaceous soils in closed-cone coniferous forest, chaparral, coastal dunes, coastal scrub, riparian scrub areas. It is a California endemic which has a blooming period of April-June. Black-flowered figwort is considered rare by the CNPS (List 1B) and federally a Species of Concern.

Habitats: Coastal Oak Woodland (High 76 to 100%) on site. Potential Clarkia Habitat app. 0.12 miles east of site.

KEY: FE-Federally Endangered; PFE-Proposed Listing-Federally Endangered; FT-Federally Threatened; PFT-Proposed listing-Federally Threatened; FC-Federal Candidate; FSC-Federal Species of Concern (no longer used); FD - Federally delisted SE-State Endangered; SCE-State Endangered Candidate for listing; ST-State Threatened; SCT-State Threatened Candidate for listing; SR-State Rare; CSC- CA Special Concern Species; FP-CDFG Fully Protected; List 1A-CNPS Presumed extinct in CA; List 1B-CNPS Rare

or Endangered in CA & elsewhere; List 2-CNPS Rare or Endangered in CA, but common elsewhere; List 3-CNPS Plants needing more info (Review List); List 4-CNPS Plants of limited distribution (Watch List).

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species. The riparian habitat associated with San Luis Obispo Creek is located at least 40 feet from the property line, and the creek itself is located nearly 200 feet from the property line. All drainage from the site, including discharge of swimming pool water, will be directed into an existing sewer line on the site, and will therefore not drain to or impact San Luis Obispo Creek.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site lies within the territory historically occupied by the Obispeno Chumash. A Phase 1 (surface survey) was conducted for the larger commercial center within which this site is located (Hoover, 1988). The survey indicated presence of an archaeological site in the general vicinity, and a site was recorded in 1991. Subsurface testing was conducted in 1991 (Sawyer, 1991), and although a small amount of weathered shell was recovered, indicating the possibility of prehistoric utilization, no cultural materials were recovered. Since the area of archaeological concern was proposed to have been covered with about five feet of fill material, archaeological monitoring was recommended in connection with subsequent excavation of that area for development of a swimming pool (not the proposed pool on this site).

A Phase 1 (surface survey) was conducted for this site and adjacent areas towards the area where the 1991 subsurface testing had been done (Gibson, 2005). The archaeologist did not observe any prehistoric cultural materials, and noted that up to 10 feet of imported fill material had been placed on this site. In addition, he concluded that although no boundary testing was done on the recorded archaeological site in the vicinity, it is probable that this proposed pool is outside the boundaries of that site as tested by Sawyer in 1991.

The surface survey of this site did not note any historic resources, and no known paleontological resources exist in the area.

Impacts. The surface survey of this site concluded that it is doubtful that prehistoric cultural materials exist in the native soil, and furthermore, the proposed excavation for the swimming pool will probably not extend into native soil. Therefore, the proposed development is unlikely to impact cultural resources. However, due the close proximity of known resources on adjacent properties, and the possibility of accidental impacts to cultural materials, either intact or imported with the fill, there is greater than normal possibility to encounter buried isolated resources or artifacts. Monitoring by a qualified archaeologist during grading and earth disturbing activities will address this potential impact and reduce it to a level of insignificance. No impacts to historic or paleontological resources are anticipated.

Mitigation. The project will be required to incorporate the following measures to reduce potentially significant impacts to cultural resources to less than significant levels:

- a) A monitoring plan shall be prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. (see attached Developer's Statement).
- b) All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist. (see attached Developer's Statement).
- c) Per Section 22.10.040 of the County's Land Use Ordinance: In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. .

Active faulting is known to exist on or near the subject property (app. 0.72 miles south of site). The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. The larger commercial center, including this site, was subject to requirements for a detailed geologic/soils investigation and grading plans in connection with Tract 1563. Excavation and grading for the proposed pool and spa will be subject to grading permit requirements.

DRAINAGE – The area proposed for development is adjacent to the 100-year Flood Hazard designation, and up to 10 feet of fill material has been placed on the site in connection with grading for the larger commercial center. The closest creek (San Luis Obispo creek) from the proposed development is approximately 200 feet to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered not well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows. In connection with Tract 1563, the larger commercial center, including this site, was subject to requirements for a drainage plan prepared in accordance with the Land Use Ordinance, as well as an "engineered flood plain study."

SEDIMENTATION AND EROSION – The soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility and moderate shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more

than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. In connection with Tract 1563, the larger commercial center, including this site, was subject to requirements for a sedimentation and erosion control plan prepared in accordance with the Land Use Ordinance.

Impact. As proposed, the project will result in the disturbance of no more than 8000 square feet, consisting of less than 300 cubic yards of excavation for the proposed pool and spa, and minor finish grading adjacent to the existing Avila Village Inn.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials, except for pool chemicals that should be stored inside the pool equipment building. The Environmental Health Division will review plans for the pool, spa, restrooms and related improvements prior to issuance of a building permit. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures beyond standard ordinance and County requirements are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The site is approximately 300 feet north of Avila Beach Drive, and is similar in elevation to the road. The noise contour maps of the County Noise Element indicate that the site is well beyond the future 70 dBA noise contour along Avila Beach Drive (located at about 70 feet from the street centerline), which is the threshold above which transportation noise mitigation measures are required for outdoor sports and recreation uses such as the proposed pool and spa.

The proposed project is located within a commercial center, and is adjacent to commercial and office uses, a hotel, and a parking lot. The adjacent uses are generally not considered noise-sensitive by the Noise Element, and do not need to be protected against potential noise impacts. The adjacent Avila Village Inn is a noise-sensitive use according to the Noise Element, but the proposed project will be accessory to, and as required by the conditions of approval, will be on the same single site as the Inn. As such, any potential noise impacts to guests of the Inn will be under the control of the Inn, and will be addressed through proposed limitations on the hours of operation (the project description includes limiting pool hours to between 9:00 a.m. and 10:00 p.m. daily).

The proposed project pool and spa are located about 330 feet south of the property line of the nearest residential use (and about 390 feet from that residence), which is located in a mobile home park on a hillside overlooking the site. The elevation difference between this site and the nearest residential uses is roughly 80 feet. The nearest residential uses are exposed to noise from the existing commercial center, parking lot, and Avila Bay Club with outdoor swimming pool and tennis courts, as well as noise from Lupine Canyon Road and Avila Beach Drive. The Noise Element requires that new stationary noise sources shall not exceed a daytime level of 50 decibels (hourly Leq) or a maximum daytime level of 70 decibels, as determined at the property line of the noise-sensitive land use. The nighttime threshold is 45 decibels, but the project description precludes nighttime operation (later than 10 p.m.).

Impacts. The nearest residential uses are over 330 feet away and are located above and overlooking the site. It is not likely that those uses could be exposed to unacceptable noise levels that exceed the standards of the Noise Element, but the likelihood of potential noise impacts would increase if the pool area is used during nighttime hours (after 10 p.m. and before 7:00 a.m.), and if amplified music/entertainment or a public address system is used. The proposed sound-insulated pool equipment building will mitigate noise from pool equipment.

Mitigation/Conclusion. The project will be required to incorporate the following measures to reduce the possibility of potentially significant noise impacts to less than significant levels

- a. The pool area shall not be used between the hours 10 p.m. and 9: a.m.

- b. No outside amplified sound shall occur, unless it is clearly demonstrated to the county by an engineer qualified in noise analysis, that the noise levels will not exceed the Noise Element thresholds for stationary noise sources at the property boundary of the closest residential use.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

The County has recently adopted a revised Housing Element. One of the new Housing Element Programs (Program HE 1.9) indicates that the County will prepare an Inclusionary Housing Ordinance during 2006. Upon adoption of the ordinance, future commercial development may be required to pay a fee to support development of new affordable housing. In any case, this proposed project will be accessory to an existing commercial use (hotel).

Impact. The proposed accessory pool and spa will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Fire protection?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Police protection (e.g., Sheriff, CHP)?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Schools?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) <i>Roads?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) <i>Solid Wastes?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) <i>Other public facilities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Avila Valley station 13) is approximately 0.5 miles to the northeast. The closest Sheriff substation is in San Luis Obispo (Kansas Ave.), which is approximately 14 miles north of the proposed project. The project is located in the San Luis Coastal Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection. The project will not have a cumulative effect on schools, because the pool and spa will be accessory to and will not increase the intensity of the existing hotel. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) <i>Increase the use or demand for parks
or other recreation opportunities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Affect the access to trails, parks or
other recreation opportunities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Other</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The existing Bob Jones bicycle path is adjacent to this site. The proposed pool and spa and related improvements are set back from and will not affect the bicycle path or any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources, because it will only serve guests of the existing hotel who would visit the site whether or not the proposed project were built. In addition, the proposed project will help satisfy a recreational need of those guests.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	<i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	<i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): San Luis Bay Drive, and Avila Beach Drive, which are collector roads. The identified roadways are currently operating at acceptable levels. Referrals were sent to Public Works. No significant traffic-related concerns were identified.

Impact. The proposed pool and spa will be for use only by guests of the existing hotel, and will therefore not generate additional traffic trips or parking demand...Therefore, there will not be a significant change to the existing road service or traffic safety levels.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will be served by the San Miguelito Mutual Water Company for wastewater disposal. This system is currently operating at acceptable levels and the system has the capacity to support existing commitments in addition to the proposed project, as a conditional will-serve letter has been issued by the San Miguelito Mutual Water Company.

Impact. The project proposes to use a community system as its means to dispose of treated pool water and surface drainage around the pool. Based on the proposed project, the proposed community system has the capacity to handle the project's additional effluent.

Mitigation/Conclusion. Given that the system is currently operating at acceptable levels and that it has the capacity to support existing commitments in addition to the proposed project, no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2-32

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use a community system as its water source.

The topography of the project is nearly level. The closest creek (San Luis Obispo Creek) from the proposed development is approximately 200 feet to the south. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Impact. Water will be used for the restrooms, drinking fountain, and pool and spa. A letter from the San Miguelito Mutual Water Company states there is ample supply available for normal use and fire protection.

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 7,900 square feet. The project is close proximity to surface water sources, but drainage from the pool and the area around the pool is to flow directly into proposed drain lines that connect to the community sewer system.

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Coastal Zone Land Use Ordinance, Local Coastal Plan, San Luis Bay Estates Master Development Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent and compatible with the surrounding commercial, office and recreational uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified, and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*
- ☐ ☒ ☐ ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*
- ☐ ☒ ☐ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*
- ☐ ☒ ☐ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at: "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

2-35

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	Attached
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>County General Services - Parks</u>	Attached
<input checked="" type="checkbox"/>	Other <u>San Miguelito Water Co, Avila Valley</u> Advisory Council.	Attached

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other <u>SLB Estates Master Dev. Plan</u>
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

2-36

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Review of an Archival Records Search and Archaeological Reports for the Avila Village/Hotel Pool Project, Avila Beach, San Luis Obispo County, CA; Robert O. Gibson; August 30, 2005

Archaeological Subsurface Testing Report APN 76-181-038, Blue Heron Center Project, Vesting Tentative Tract Map 2002, San Luis Bay Estates, San Luis Bay Drive, Avila Beach, California; W.B. Sawyer, 1991

Environmental Impact Report Addendum for the Proposed San Luis Bay Estates Commercial Area Development Plan & Tract Map, ED90-194, 195, S870125T/TR1563, D870106D, SCH# 91011048; Morro Group; September 1992

Exhibit B - Mitigation Summary Table**Cultural Resources**

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Upon completion of all monitoring/mitigation activities, and **prior final inspection**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

Noise

- a. The pool area shall not be used between the hours 10 p.m. and 9: a.m.
- b. No outside amplified sound shall occur, unless it is clearly demonstrated in a report to the county by an engineer qualified in noise analysis, that the noise levels will not exceed the Noise Element thresholds for stationary noise sources at the property boundary of the closest residential use. This report shall be submitted to the county for review and approval prior to final inspection.

March 28, 2006

**DEVELOPER'S STATEMENT FOR AVILA VILLAGE POOL
CONDITIONAL USE PERMIT
ED 05-268/DRC2004-00215**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

CULTURAL RESOURCES

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

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2-39

Avila Village Pool Development Plan/CDP Developer's Statement

March 24, 2006

Page 2

Upon completion of all monitoring/mitigation activities, and **prior final inspection**, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

NOISE

- a. The pool area shall not be used between the hours 10 p.m. and 9: a.m.
- b. No outside amplified sound shall occur, unless it is clearly demonstrated in a report to the county by an engineer qualified in noise analysis, that the noise levels will not exceed the Noise Element thresholds for stationary noise sources at the property boundary of the closest residential use. This report shall be submitted to the county for review and approval prior to final inspection.

Monitoring: Report, if applicable, will be submitted to the Department of Planning and Building for review and approval.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

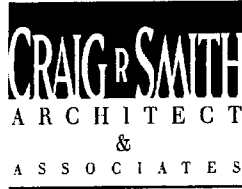
3/30/06

BOB FOWLER

Name of Owner – Print

2-40

recvd 3/30/06
Plg. + Bldg.



890 Monterey Street, San Luis Obispo, CA. 93401
805 544-3380/805 544-8625 fax
craigsmith@mypowerpipe.com

March 30, 2006

Mr. Mike Wulkan, Project Manager
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA. 93408

RE: Avila Village Inn Pool – DRC2004-00215

Dear Mr. Wulkan,

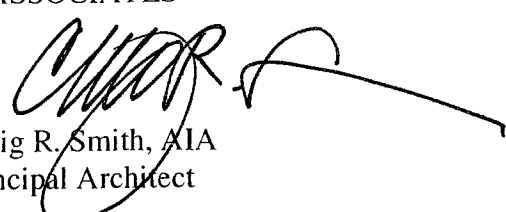
Please find attached the consulting archaeologist review and monitoring letter. This letter, if accepted, addresses the issues of the original study review, project personnel, pre-construction cultural resources orientation, specific locations to be monitored, procedures for discovery of cultural materials, procedures for discovery of intact archaeological deposits and final reporting or the monitoring.

We have reviewed this letter and find it to be in satisfactory compliance to the requests and requirements of the developer's statement, for the issuance of a negative declaration.

Should you have any concerns, corrections, or questions, please call me at your earliest convenience to continue with the due process and maintain the current, expected hearing date.

Sincerely,

CRAIG R. SMITH, AIA, ARCHITECT
& ASSOCIATES



Craig R. Smith, AIA
Principal Architect

cc: Jim Burns/R.W. Hertel & Sons, Inc.

2-41

GIBSON'S ARCHAEOLOGICAL CONSULTING

ROBERT O. GIBSON, Archaeologist

P.O. Box 102

Paso Robles, CA 93447-0102

Telephone: 805/238-5411

Fax: 805/238-7029

Email: rogjog@sbcglobal.net

March 30, 2006

Mr. Craig Smith, AIA
ARCHITECT & ASSOCIATES
890 Monterey Street Ste. D
San Luis Obispo, CA 93401

RE: Review of an Archival Records Search and Archaeological Reports for the
Avila Village/ Hotel Pool Project, Avila Beach, San Luis Obispo County, CA

Dear Mr. Smith:

I have reviewed the information you provided me including project plans for the Avila Village/Hotel Swimming Pool Project, previous archaeological reports by Hoover and Sawyer and have also conducted an archival records search with the Information Center at the University of California at Santa Barbara. An archaeological site, SLO-1401 was recorded in 1991 in an area north of the proposed pool.

On August 9, 2005, a phase one surface survey was conducted by myself on the proposed Avila Village/Hotel swimming pool area. An area about 150' by 150' was examined as well as adjacent areas toward San Luis Creek and the parking lot where the Sawyer 1991 testing was done. The surface of the proposed pool area contains light colored loamy clay with white shale clasts and no dark soil or prehistoric cultural materials. The area to the south beside San Luis Creek was also examined and the base of large Coast Live Oaks can be used to determine native soil elevation. It is clear that up to ten feet of imported fill soil has been placed in the proposed swimming pool area.

Based on the records review and current survey it was concluded in 2005 that the original 1991 recommendation for the original 1991 pool is determined to have been adequate. For the current Avila Village/Hotel swimming pool, the same conditions should apply. Fill has been placed in the proposed pool area, and to assure of no accidental impacts to cultural materials, either intact or imported with the fill, archaeological monitoring should accompany the pool excavation. If during that time any displaced or intact cultural materials are unearthed, they can quickly be evaluated and appropriate recommendations made.

2-47

Based on this review and my August 30, 2005 report, the San Luis Obispo County Planning Department attached to the Conditional Use Permit ED 05-268/DRC2004-00215, a requirement for an archaeological mentoring plan should be prepared by a subsurface-qualified archaeologist and be submitted to the department and implemented during pool construction excavation. The following is an archaeological monitoring plan for the Avila Village Swimming Pool Project.

1. Project Personnel

Archaeological monitoring and final report will be conducted by Gibson's Archaeological Consulting, Paso Robles, CA, under the direction of the Principal Archaeologist Robert O. Gibson. R. O. Gibson or his assistants will conduct the archaeological workshop at an initial meeting, and conduct field monitoring and prepare the report of results. If any cultural resources are encountered a Chumash representative will be notified and review the discovery and aid in appropriate recommendations.

2. Pre-construction Cultural Resources Orientation

During the start of pool excavations for the project, a Cultural Resources Orientation (archeological workshop) will be conducted for construction personnel to educate them about what types of cultural materials are present in the SLO-1401 site area and may be encountered during grading and trenching activities. These may include prehistoric materials such as weathered fragments of sea shell, chipped and ground stone tools, burnt rock, stone flakes and human and non human bone. Procedures for the monitor to notifying the equipment operator and foreman will be described. Steps for identification of the discovery will be outlined and additional notification procedures and recommendations will also be outlined.

3. Specific Locations to be Monitored.

Excavation for main pool area and utilities pipelines for water and power should be monitored. No monitoring will be necessary for for backfilling, construction or landscaping.

4. Procedures for Discovery of Cultural Materials

If any cultural resources are encountered during excavation or trenching, work in that area will briefly halt within 25 feet of the discovery until they can be evaluated by the project archaeologist. If the cultural materials are in a displaced context, after consultation with the project archaeologist, the treatment of the cultural materials will be determined as insignificant and work can proceed. Export of any displaced cultural materials must be approved by the project archaeologist and recorded.

2-43

5. Procedures for Discovery of Intact Archaeological Deposits

No intact cultural deposits are expected to be encountered during above project excavation. However, if they are encountered and the cultural materials are not obviously in a disturbed context, work within a 25-foot area of the discovery must halt. The San Luis Obispo Planning Department will be notified by phone of the discovery and the project archaeologist and a Chumash representative will examine the discovery. It may be necessary to conduct limited subsurface testing or consult with a geomorphologist to determine the nature and significance of the discovery. This may take a day or two to complete. Afterwards, the project archaeologist in consultation with the Chumash representative will make appropriate recommendations.

If the materials are determined to be displaced a proper treatment will be determined. This may include removal to a safe location and reburial where they will not be disturbed.

6. Final Report of Monitoring

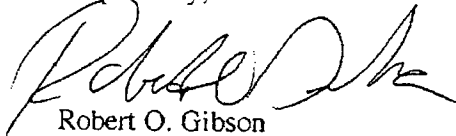
Upon the completion of all the archaeological monitoring, a brief summary final report of results will be submitted to the San Luis Obispo County Planning Department as proof of having met the archaeological conditions imposed on the project.

To conclude based on all archaeological information, the Avila Village/Hotel Pool Project has been designed to avoid the known cultural materials from SLO-1401. The excavation and trenching for the project is not expected to have an adverse impact on any of the known cultural resources. This archaeological monitoring plan and its implementation will assure no delays in construction or accidental damage to intact cultural deposits occurs.

I am including an hourly fee schedule for archaeological monitoring. Based on discussions with your office, it expected to take two or three days to excavate and trench for the pool project. My estimate is for time and materials as needed. I am also including a copy of my resume and insurances. If you agree, sign on the appropriate line and return to me.

Please contact me if you have any questions or require additional information. Thank you for your consideration.

Respectfully,



Robert O. Gibson
Principal Archaeologist

2-44



Mike
Wulkan/Planning/COSLO
05/04/2006 09:24 AM

To "avila s gooding" <avilasgooding@charter.net>
cc Jan DiLeo/GenSrvcs/COSLO
bcc
Subject Re: Avila Village Inn Project: pool, etc. (DRC 2004-00215
Conditional Use Permit)

Dear Sherri,

The project has not been significantly revised since it was referred to the Advisory Council. It has not been revised to include the gravel area adjacent to the bike path, as that is not a part of this site. The site plan does not include the existing gazebo that is an interim improvement until such time as the swimming pool is built.

According to the applicant's representative, the landowner has no plans for storing golf carts on the gravel area behind this site; it is to remain as is. The use of that area will not be conditioned with this project, because it is off-site.

A Mitigated Negative Declaration has been prepared and noticed. A staff report, including the Negative Declaration, will be sent to the Advisory Council prior to the May 25 hearing. You can also view the staff report on our Department's web site starting about one week prior to the hearing.

Maintenance of the adjacent bike path is the responsibility of the General Services Department, Parks Division.

Feel free to contact me if you have additional questions.

Mike Wulkan
Senior Planner
San Luis Obispo County Department of Planning and Building
"avila s gooding" <avilasgooding@charter.net>



"avila s gooding"
<avilasgooding@charter.net>

05/03/2006 09:32 PM

Please respond to
"avila s gooding"
<avilasgooding@charter.net>

To "mwulkan@co.slo.ca.us"@mxsf23.cluster1.charter.net
cc
Subject Avila Village Inn Project: pool, etc. (DRC 2004-00215
Conditional Use Permit)

Mike Wulkan, Planner, SLO County

Hi Mike:

An alert AVAC member discovered that this project is scheduled for hearing on May 25. AVAC has not seen revised materials to enable it to make a recommendation on the project. The presumed revisions relate to a graveled area, possibly for golf cart parking, and a gazebo-- neither or which is included in the application that was provided earlier to AVAC.

Approximately six months ago you, Jan DiLeo with County Parks, and I met regarding the graveled area that had recently been installed in conjunction with construction of a retaining wall. The graveled area appears to be on Lot 14, behind the project lot, Lot 8, and adjoining the Bob Jones Bike Trail (narrow section of the trail). Regarding use of the graveled area, Ms. DiLeo stated that, for safety reasons, golf

2-45

carts are not compatible with bike trail uses.

During our visit to the site we noticed that a gazebo was being completed on Lot 8, located where a swimming pool is proposed on the site plan for the subject project.

We would appreciate your providing us with the following information:

-Has the project been revised to include the graveled area and gazebo? If yes for one or both, will you provide AVAC with revised materials? (I would like to be the recipient of these materials.)

-What use is intended for the graveled area? Will its use be conditioned in conjunction with the subject project? If not, how will its use be regulated?

-Is there an environmental document for the subject project? Staff report?

AVAC members have concern about maintenance of the Bike Trail that is in particularly deteriorated condition proximate to the subject project site.

As always, your assistance is appreciated,

Sherri Gooding

C: AVAC Circulation Committee
San Luis Bay Estates Committee of AVAC

2-46



Kdbitt@aol.com

07/15/2005 08:49 AM

To: mwulkan@co.slo.ca.us
cc: Goodingavila@aol.com, pusanik@charter.net
Subject: DRC 2004-00215 CUP for Avila Village

Dear Mike:

I am mailing the Community Advisory Council Referral form on the above listed project today.

The AVAC Land Use Committee has the following two requests:

- 1) The use of this pool should be restricted to overnight Inn guests only and
- 2) No loud decibel music should be done on site as it filters to neighboring residential area.

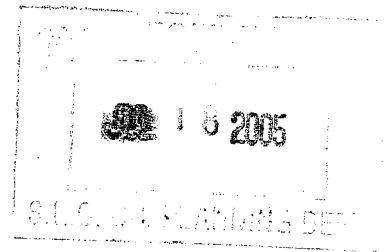
Thank you very much for working on this project with AVAC and for requiring the applicant revise the plan to eliminate golf cart access to the Bob Jones Bike Trail.

Sincerely,
Karla Bittner
AVAC Land Use Committee Chair

2-47
**PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL**

Date Referred: 5/2/05

Project Planner/Manager: MIKE WOLKAN



The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

File Number: DRC 2004-00215 Applicant: R.W. HERTEL & SONS
Request: CONDITIONAL USE PERMIT TO ALLOW A PUBLIC POOL, SPA,
RESTROOMS, CONCRETE FLAT WORK & LANDSCAPING AT 6655
BAY LAUREL DR., ADJACENT TO THE EXISTING AVILA INN

STAFF COMMENTS

C.A.C. COMMENTS *The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.*

- ☐ We have received the referral on the above-referenced project and have no comments.
☒ We have received the referral on the above-referenced project and have the following comments:

1) Conditional Use: A) No PUBLIC use - for use of overnight
inn guests only
2) No loud decibel music on site as it filters to
neighboring residential areas.

Please let us know the following:

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: July 11, 2005

2-48

PROJECT REFERRAL CHECKLIST

COMMUNITY VISION

If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision?

☒ Yes ☐ No

Comments: _____

What does the community like or dislike about the project or proposal?

☐ Yes ☐ No

Comments: *The project, when specified as Inn guests only, should help reduce parking impacts associated with commercial uses of Avila Village.*

AESTHETICS/NEIGHBORHOOD COMPATIBILITY/CULTURAL RESOURCES

Is the project compatible with surrounding development, does it fit in well with its surroundings?

☒ Yes ☐ No

Comments: _____

If No, are there changes in the project that would make it fit in better?

Comments: _____

Will the project significantly alter an important community scenic vista or backdrop?

☐ Yes ☒ No

Comments: _____

BIOLOGICAL RESOURCES

Is there community knowledge of wildlife in the area - should consideration be given to creating wildlife corridors as part of this project?

☐ Yes ☒ No

Comments: _____

2-49

Is there significant vegetation on the site? Does the community know of any riparian/wetland areas on the site? Should consideration be given to designating building envelopes/construction control lines to avoid sensitive areas?

☐

Yes

☒

No

Comments: _____

DRAINAGE, EROSION AND SEDIMENTATION

Does the community have knowledge of problems on the site with runoff or erosion during the rainy season? Does the community have comments about how run-off should be handled?

☐

Yes

☐

No

Comments: Consideration should be given to assure
drainage avoids San Juan Bay Creek.

GEOLOGICAL HAZARDS/SITE ALTERATION

Is the community aware of any historic landslide hazards on the site?

☐

Yes

☒

No

Comments: _____

POLLUTION

If the project generates any loud noises during or after construction, is it near existing "noise sensitive" uses or a residential area?

☒

Yes

☐

No

Comments: See Conditions of approval.

Is the project near a noise source like a heavily used road or the railroad tracks?

☒

Yes

☐

No

Comments: Avila Beach Drive generates substantial
noise to the site, but should not impact the
recreational use.

WATER RESOURCES

Does the community want to comment on whether the community has evidence that the water supply is adequate or is not adequate to serve this project/request?

☐

Yes

☒

No

Comments: _____

2-50

ROADS/TRAILS

Does the community believe the road(s) that provide access to the site is already overcrowded?

☐ Yes ☐ No

Comments: N/A

Does the community wish to have a trail in this location?

☐ Yes ☐ No

Comments: (if yes - specify type - bike, equestrian, walking, multi-use)

N/A

AGRICULTURAL RESOURCES

If the property is in the Agriculture land use category or is being used for agriculture, will agriculture or the potential for agricultures be lost to non-ag use?

☐ Yes ☐ No

Comments: N/A

Are there surrounding agricultural uses that could be negatively impacted?

☐ Yes ☐ No

Comments: N/A

GROWTH INDUCING

If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?

☐ Yes ☐ No

Comments: N/A

OTHER

Please make any other comments regarding the proposal

Comments: _____

2-51

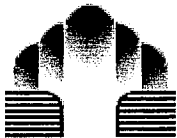


Mike
Wulkan/Planning/COSLO
12/28/2005 08:57 AM

To Richard Marshall/PubWorks/COSLO
cc
bcc
Subject Re: DRC2004-00215, Avila Village LLC

Thanks, Richard. Yes, a new CUP would be required if a public pool is proposed.

Mike Wulkan
Senior Planner
San Luis Obispo County Department of Planning and Building
Richard Marshall/PubWorks/COSLO



Richard
Marshall/PubWorks/COSLO
12/28/2005 08:52 AM

To Mike Wulkan/Planning/COSLO@Wings
cc
Subject Re: DRC2004-00215, Avila Village LLC

Based on the revised project description, road fees will not be applicable.

If they want to change to public use of the pool in the future, they would have to amend the CUP, right?

-Richard Marshall
SLO County Public Works
Development Services Engineer

Mike Wulkan/Planning/COSLO



Mike
Wulkan/Planning/COSLO
12/28/2005 08:39 AM

To Richard Marshall/PubWorks/COSLO@Wings
cc
Subject DRC2004-00215, Avila Village LLC

Hi Richard,

This is a CUP for a swimming pool for the adjacent Avila Village Inn in the San Luis Bay Estates commercial center. Mike Goodwin responded to our referral and recommended road impact fees for additional peak hour trips. Since the time that Mike G. reviewed this project, the project description has been clarified to limit use of the pool to only guests of the adjacent Avila Village Inn--it will not be a public pool. Accordingly, we are treating it as an accessory use that does not require any additional parking. I'd appreciate your taking another look at this in light of the new project description and letting us know whether road fees will still be required. Thanks.

Mike Wulkan
Senior Planner
San Luis Obispo County Department of Planning and Building



252 MW
11
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

APR - 8 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

FROM

PW

FROM
70

Coastal Team

(Please direct response to the above)

Avila Village

DRC2004-00215

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: Conditional Use Permit -> to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sq ft lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-008.

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

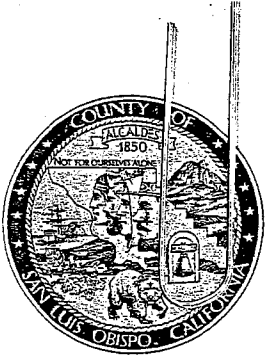
Recommend Approval - Road Fees for additional Peak Hour trips.

Does the drain to creek need a filter or other device to clean up water before discharge?

27 APRIL 2005
Date

Goodwin
Name

5252
Phone



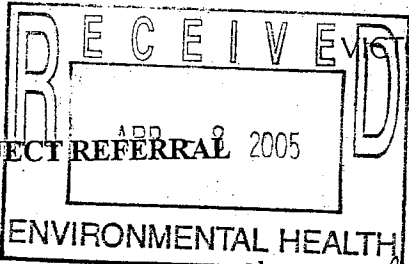
2-53

MW

11

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

APR 27 2005



VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 4/7/05
TO: Env. Health
FROM: Coastal Team
(Please direct response to the above)

Avila Village
DRC2004-00215
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Conditional Use Permit -> to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sf lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-008.

Return this letter with your comments attached no later than: 4/22/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
____ YES
____ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Prior to issuance of a building permit, construction plans for the swimming pool, spa and restrooms w/ related facilities shall be reviewed and approved by Environmental Health Services. Thank You!

4/21/05 X. Salo 781-5551
Date Name Phone

2-54

Jan DiLeo

07/14/2005 12:38 PM

To: Mike Wulkan/Planning/COSLO@Wings

cc:

Subject: Avila Inn Pool (DRC-2004-00215)

Mike,

Thanks for sending me updated information on June 16th. Sorry for the delay in getting back to you.

The revised plans address most of my previous stated concerns. The revised plans indicate the proposed development (swimming pool, spa cabanas) is, at its closest point, roughly 20 feet away. It also appears the development is separated by a roughly 25% slope. No access to the Bob Jones Pathway is proposed with this development. Provided not alternations are proposed to the Bob Jones Pathway in order to accommodate the project or proposed project drainage, Parks has no additional comments. Thank you for the referral.

Jan Di Leo

Parks Planner

SLO County Parks

(805) 781-4089 <http://www.slocountyparks.org>



2-55
11
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

05 MAY 17 PM 12:54

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

TO:

~~File~~ JAN DILEO, PARKS DIV. Avila Village

FROM:

Coastal Team

(Please direct response to the above)

MIKE WULFMAN

DRC 2004-00215

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNED)

PROJECT DESCRIPTION:

Conditional Use Permit → to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sf lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-006.

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

✓ SEE attached memo.

06/06/05
Date

JAN Di Leo
Name

9089
Phone



**SAN LUIS OBISPO
COUNTY PARKS**

MEMO

TO: Mike Wulkan, Coastal Team

FROM: Jan Di Leo

DATE: June 6, 2005

RE: **Avila Village - DRC2004-00215**

This memo is regarding the proposal by R.W. Hertel & Sons for recreation improvements at Avila Village Inn. As proposed, the project would provide a new public swimming pool, a spa, restrooms, concrete flat work and landscaping. The proposed improvements, which also show golf cart storage, are in the vicinity of the Bob Jones Pathway.

In general, County Parks supports the improvements proposed by the applicant. Unfortunately, it is unclear from the project plans how close these improvements are to the Bob Jones Pathway. As a result, Parks is requesting:

1. The Planning Department have the applicant provide revised plans which clearly depict:
 - A. The location of the Bob Jones Pathway in relation to the proposed improvements (including new construction, grading, landscaping, and any proposed retaining walls).
 - B. Proposed drainage over or under the bike path.
 - C. New public or private access to the bike path from the proposed project.
 - D. Access for the proposed golf cart storage.
2. The project's environmental document assess potential impacts to the Bob Jones Pathway should the proposed development be directly adjacent or drain over or under the pathway.

Once County Parks has reviewed the revised plans we may have conditions. Thank you for the opportunity to comment. If you have questions or concerns please contact me at extension 4089 or via email: jdileo@co.slo.ca.us.

257

11



Mike W.

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

TO:

CDF

FROM:

Coastal Team

(Please direct response to the above)

Avila Village

DRC2004-00215

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Conditional Use Permit → to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sf lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-008.

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

____ YES
____ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

No requirements for this project

4/7/05
Date

Gilbert Rios
Name

779-1025
Phone



2-58

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

TO:

RWQCB

FROM:

Coastal Team

(Please direct response to the above)

Avila Village

DRC2004-00215

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Conditional Use Permit → to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sf lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-008.

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES

☒ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Swimming pool water is typically chlorinated and may be toxic to aquatic life. Please clarify where pool water will be discharged when the pool is dewatered. Water should not be discharged to creek; Community wastewater system preferable. Please indicate whether community wastewater system has adequate capacity to accommodate this discharge.

4/19/05
Date

Matt Thompson, P.E.
Name

(805) 544-3159
Phone



2-59

May 27, 2005

Avila Village LLC
R.W. Hertel & Sons, Inc.
c/o Craig R. Smith
89 Monterey Street, Suite D
San Luis Obispo, CA 93401

RE: Lot #8 Tract 1563 – Avila Village
Conditional Will Serve Letter

Dear Mr. Smith:

This is to confirm that the water distribution and wastewater collection systems for the above mentioned development has been completed, accepted and are in operation.

However, prior to issuing a final will serve letter for Lot #8, Avila Village Inn Pool, SMMWC will require the following:

- ✓ A Checking and Inspection Agreement must be signed.
- All plans will be approved by SMMWC Staff and Engineer.
- Completion of the water and wastewater connections for lot #8 or financial arrangements made to assure completion.
- Treated pool water may be discharged to our wastewater distribution system in accordance with our discharge requirements. Property owner will be required to sign an agreement to comply.

Upon completion of the items listed above, SMMWC will issue a final will serve letter stating:

- Water distribution and wastewater collection will be furnished on demand, without exception, to lot #8 of the Avila Village development.
- The water is potable and there is ample supply available for normal use and fire protection.

Sincerely,

Rick Koon/ds

Rick Koon,
Utility Manager
RK/ds

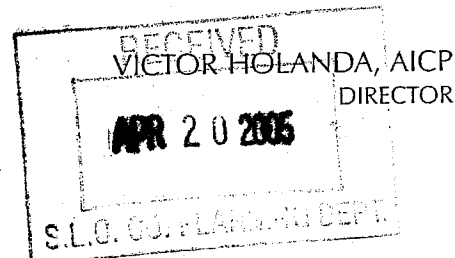
2-60

11



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

APR 1 1 2005



THIS IS A NEW PROJECT REFERRAL

DATE:

4/7/05

TO:

San Miguelito H²O Co. →

Avila Village

FROM:

Coastal Team

Avila

(Please direct response to the above)

DRC 2004-00215

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Conditional Use Permit → to build a new public pool w/ spa, restrooms, and concrete flat work & landscaping. Located on 7,896 sf lot, located at Bay Laurel Dr., Avila Beach. APN: 076-543-008.

Return this letter with your comments attached no later than:

4/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO
YES
NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

NO COUNTY APPROVALS SHALL BE GIVEN AND NO PERMITS ISSUED UNTIL SAN MIGUELITO HAS REVIEWED AND APPROVED CONSTRUCTION PLANS. THE PLANS SHALL SHOW SAN MIGUELITO'S EXISTING FACILITIES, PROPOSED CONNECTIONS, ETC

04-12-05

Date

Rick Koon - Utility Manager

Name

595-2348

Phone